

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DAMION PAUL GOODING,

No. 3:18-cv-00015-YY

Plaintiff,

ORDER

v.

OFFICER KYLE L. ZUERCHER; and  
OFFICER MARTIN,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge You issued a Findings and Recommendation [27] on July 23, 2018, in which she recommends that the Court grant Defendants' Corrected Motion to Dismiss for Failure to State a Claim [13] and dismiss this action without leave to amend. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

### CONCLUSION

The Court ADOPTS Magistrate Judge You's Findings and Recommendation [27]. Defendants' Corrected Motion to Dismiss for Failure to State a Claim [13] is granted. Accordingly, this case is dismissed with prejudice.

IT IS SO ORDERED.

DATED this 27 day of Sept, 2018

  
MARCO A. HERNÁNDEZ  
United States District Judge